

Title 20-DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS
AND PROFESSIONAL REGISTRATION
Division 500-Property and Casualty
Chapter 7—Title

PROPOSED RULE

20 CSR 500-7.130 Insurance and Closing Protection Form Filings.

PURPOSE: This regulation prescribes requirements for forms to be used in this state and filing procedures with the director.

(1) Title Insurance Commitments, Policies and other Forms.

(A) No title insurer in this state shall issue or agree to issue any standard form of title insurance binder, title insurance commitment, preliminary report, title insurance policy, title insurance form endorsement, other contract of title insurance or any related form unless the forms have been filed with the director as required by section 381.085, RSMo. A form is standard if the form is to be applied in more than one instance. The filing must be received by the director at least thirty (30) days before the use of the form.

(B) No policy, standard form endorsement or simultaneous instrument which provides title insurance coverage shall be issued unless it contains the premium collected for the issuance of the policy as calculated from the filed risk rate for the policy.

(2) Closing Protection Letters.

(A) No title insurer, agency or agent in this state shall issue or agree to issue a closing protection letter unless the form has been filed with the director as required by section 381.085, RSMo. The filing shall be received by the director at least thirty (30) days before the use of the form.

(B) The terms of coverage of closing protection letters used to satisfy the requirements of 381.022.5 or 381.058, RSMo, shall be consistent with the applicable Closing Protection Letter form (Form T-8 or Form T-9), or any form that substantially comports with the specified form, approved by the director in Rule 20 CSR 500-7.030. Any such form may be modified by the insurer by striking the two provisions that limit liability to five million dollars (\$5,000,000).

(3) Filing Fees. The filing fee for forms filed under this rule is fifty dollars (\$50) per filing as required by section 374.230(5), RSMo.

(4) Insured closing letters issued pursuant to sections 381.400 to 381.405, RSMo, are not closing protection letters for purposes of this rule. Insured closing letters shall not be used to satisfy the requirements of sections 381.022.5 or 381.058, RSMo. Insured closing letters are not required to be filed with the director under section 381.085, RSMo, unless a fee is charged for the insured closing letter.

AUTHORITY: sections 374.045, 381.042 and 381.085, RSMo.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500.00) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500.00) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed amendment at 10:00 a.m. on February 26, 2008. The public hearing will be held at the Harry S. Truman State Office Building, 301 West High Street, Room 530, Jefferson City, MO. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support or in opposition to the proposed amendment, until 5:00 p.m. on February 26, 2008. Written statements shall be sent to Tamara Kopp, Department of Insurance, Financial Institutions and Professional Registration, P.O. Box 690, Jefferson City, MO 65102.

SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five working days prior to the hearing.